IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL REVISION APPLICATIONS NO.239/2000, 250/2000, 251/2000 AND 252/2000

CIVIL REVISION APPLICATION NO.239/2000

M/s. Sociedade de Fomento Ind.Ltd.,
a Public Limited Company registered
under the provisions of the Companies
Act, 1956 having its registered
Office at Villa Flores Da Silva,
Erasmo Carvalho Street,
Margao, Goa. .... Petitioner.

V/s.

1. M/s. Mineira Nacional Ltda.,
a Sociedade por Quotas,
Constituted under Portuguese Law
of Sociedade por Qoutas, having
its registered office at
Salgaocar Chambers, Margao, Goa

2. Shri Anil V. Salgaocar
Salgaocar Chambers, Margao, Goa.

3. Smt. Laxmi A. Salgaocar,
Salgaocar Chambers,
Margao, Goa. ..... Respondents.

CIVIL REVISION APPLICATION NO.250/2000

M/s. Sociedade de Fomento Ind.Ltd.,
a Public Limited Company registered
under the provisions of the Companies
Act, 1956 having its registered
Office at Villa Flores Da Silva,
Erasmo Carvalho Street,
Margao, Goa. .... Petitioner.

V/s.

M/s. Mineira Nacional Ltda.,
a Sociedade por Quotas,
Constituted under Portuguese Law
of Sociedade por Qoutas, having
its registered office at
Salgaocar Chambers, Margao, Goa .... Respondent.

CIVIL REVISION APPLICATION NO.251/2000

M/s. Hardesh Ores Pvt.Ltd.,
a Company registered
under the provisions of the Companies
Act, 1956 having its registered
Office at Villa Flores Da Silva,
Erasmo Carvalho Street,
Margao, Goa. .... Petitioner.

V/s.

1. M/s. Mineira Nacional Ltda.,
a Sociedade por Quotas,
Constituted under Portuguese Law
of Sociedade por Qoutas, having
its registered office at
Salgaocar Chambers, Margao, Goa

2. Shri Anil V. Salgaocar
Salgaocar Chambers, Margao, Goa.

3. Smt. Laxmi A. Salgaocar,
Salgaocar Chambers,
Margao, Goa. ..... Respondents.

CIVIL REVISION APPLICATION NO.252/2000

M/s. Hardesh Ores Pvt.Ltd.,
a Company registered
under the provisions of the Companies
Act, 1956 having its registered
Office at Villa Flores Da Silva,
Erasmo Carvalho Street,
Margao, Goa. .... Petitioner.

V/s.

M/s. Mineira Nacional Ltd.,
a Sociedade por Quotas,
Constituted under Portuguese Law
of Sociedade por Qoutas, having
its registered office at
Salgaocar Chambers, Margao, Goa .... Respondent.

Mr. M.S. Usgaonkar, Sr. Advocate with Ms. Swati Kamat Wagh, Advocate for the petitioner.

Mr. M.S. Sonak, Advocate for the respondents.

CORAM: F.I. REBELLO, J.

DATE : JULY 11, 2003.

ORAL JUDGMENT:

All these matters were referred to the arbitration under the Act of 1940. It is the grievance of the petitioners herein that while so disposing of, certain observations have been made which are uncalled for and the present civil revision applications are for expunging the said observations.

On the other hand, on behalf of the respondents, it is contended that the revisions are not maintainable and, therefore, the same should be rejected.

2. It is not necessary to go into various controversies, including the maintainability of the revisions. Suffice it to say that when the Court refers the matter for arbitration, what is before the Arbitrator are only the claims. The Arbitrator is bound to dispose of the reference uninfluenced by whatever has been said by the Court while referring the matter to arbitration. With the above observations, Civil Revision Applications are disposed of. No order as to costs.

F.I. REBELLO, J.

ssm.